



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/560,427

12/14/2005

Masazumi Yamada

2005_1910A

8775

513 7590 01/16/2009
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

STRONCZER, RYAN S

ART UNIT

PAPER NUMBER

2425

MAIL DATE

DELIVERY MODE

01/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/560,427 | Applicant(s) YAMADA ET AL. | |
| | Examiner Ryan Stronczer | Art Unit 2425 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 22, 24 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 22, 24 and 26-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendment, filed 08 October 2008, with respect to claim 24 has been fully considered. The rejection under 35 U.S.C. 101 of claim 24 has been withdrawn.

Response to Arguments

Applicant's arguments filed 08 October 2008 have been fully considered but they are not persuasive.

With respect to claim 1, Applicant alleges that

it is clear that Osakabe merely teaches using a header including an ID, address, command data, and status information, but fails to disclose or suggest a plurality of read-out channels for outputting information (indicating a status of an output destination device) to a plurality of input source devices, each read-out channel of the plurality of read-out channels corresponding to a respective input source device of a plurality of input source devices, as required by claim 1. (Remarks, pg. 17)

Examiner respectfully disagrees. Col. 10 of Osakabe teaches that the header including an ID, address, command data, and status information (see Fig. 10) is used to enable bi-directional communication between input video device (e.g., a digital VTR) and an output display device. Osakabe further teaches that said header is used to indicate in the source device is issuing a request or is waiting for a response to a request from the input device, which is equivalent to the recited "indicating a status of the output destination device." Examiner further notes that Fig. 1b of Oda teaches a memory where data is written or read out "*relative to the connected AV appliances and also the data relative to the corresponding input terminals*" (col. 10/lines 19-21). Oda

Art Unit: 2425

goes on to disclose that the memory is operable to read out commands (e.g., a channel-change command) from the output device to the input device (col. 10/23-33) and that reading out to the input device that the output device has issued a command such as a requesting a channel change is also equivalent to the recited "indicating a status of the output destination device."

As to Applicant's allegations that "there is no disclosure or suggestion in Oda, Kawamura and/or Osakabe or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Oda, Kawamura and/or Osakabe to obtain the invention of independent claim 1" (Remarks, pg. 18), Examiner respectfully maintains that the combination as explained in the previous Office Action would have been obvious to one of ordinary skill in the art at the time of the invention as it would have been a combination of known elements in the art that would have yielded predictable results. For at least these reasons, the rejection of claims 1-3, 7-9, 22, and 24 set forth in the previous Office Action is maintained

Applicant's arguments, see pg. 18, filed 08 October 2008, with respect to the rejection(s) of claim(s) 4-6 under 35 U.S.C. 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Oda in view of Osakabe, Kawamura, and Davies.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7-9, 22, 24, 26-28, and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda et al. (US Pat. No.: 5,204,662) and further in view of Kawamura et al. (Pub. No.: JP 07-131470), and Osakabe et al. (US Pat. No.: 5,666,363).

As to the switching device of claim 1, Fig. 4 of Oda teaches a system in which a plurality of input devices (VTR I&II, laser disc player, BS tuner, etc) are connected to a display device through a system containing a system controller and memory which allow the user to select the desired input to be displayed. While Oda teaches a system for allowing a multiple input devices to be connected to an output device and for selectively switching between said input devices, it does not teach the reading and outputting units recited in claim 1. Kawamura et al. teaches an analogous system for connecting multiple devices in which the system detects when devices are connected to the system and stores the physical address of said devices in a table shown in Fig. 9 which is stored in the system memory, which is equivalent to the recited reading channel and unit. As to the recited read-out channels and outputting unit to output the status of the display device, Osakabe teaches a system similar to that taught by Kawamura in which the system adds a header to inter-device communications which includes device

Art Unit: 2425

ID/address, operation command data, and automatic status transmission (Fig. 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the address table and transmission header taught by Kawamura and Osakabe into the system taught by Oda to make it easier for users of Oda's system to manage their devices.

As to claim 26, the rejection of claim 1 is incorporated herein; the recited control signal lines are taught by Fig. 4b of Oda as lines a-h connecting the various peripheral devices to the system.

As to claim 2, Fig. 10 of Osakabe (cited above) teaches that the destination device can communicate an automatic status transmission to the selected source device.

As to claim 3, Kawamura teaches that the system automatically assigns node ID numbers which are equivalent to physical addresses for the devices in the network automatically and stores said addresses in system memory [0008, 0025].

As to claims 27 and 28, Col. 10 of Osakabe teaches that the header including an ID, address, command data, and status information (see Fig. 10) is used to enable bi-directional communication between input video device (e.g., a digital VTR) and an output display device. Osakabe further teaches that said header is used to indicate in the source device is issuing a request or is waiting for a response to a request from the input device, which is equivalent to the recited "indicating a status of the output destination device."

Art Unit: 2425

As to claims 22 and 24, practicing the combination of Oda in view of Kawamura and Osakabe, as applied to claim 1 above, would have rendered obvious the recited method.

As to claims 7 and 33, the recited control signal lines are taught by Fig. 4b of Oda as lines a-h connecting the various peripheral devices to the system. As to the recited power supply control unit, Oda teaches that the user can use a remote control to issue commands to the input devices through the primary system. Oda teaches that the command data can include *“manipulation contents of ‘PLAY,’ ‘ON,’ and so forth”* (col. 5/33-34).

Claims 8-9 and 34-35 are rejected by Fig. 3 and Col. 5 of Oda as cited above with respect to claim 7.

Claims 4-6 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda in view of Osakabe and Kawamura as applied to claim 1 above, and further in view of Davies et al. (US Pat. No.: 7,360,235).

As to claims 4 and 29, Fig. 4b of Oda teaches the recited control signal transmission lines, and while turning off the output device would inherently turn off the switching device, Oda does not explicitly teach that the switching device can be turned off independently of the output device. Davies teaches an analogous system in which multiple input and output devices can be controlled from a single device. It would have been obvious to one of ordinary skill in the art to embody the switching device taught by Oda, Osakabe, and Kawamura, as analyzed above w/r/t claim 1, in the set top terminal

Art Unit: 2425

(STT) taught by Davies. This would have been desirable so as to allow consumers who already own a television to manage their peripheral devices using the method taught by Oda without having to purchase a new television. Examiner takes Official Notice that it is well known in the art for a STT to have the capability to be turned off by the user.

As to claims 5-6 and 30-31, Examiner takes Official Notice that it is notoriously well known in the art to turn on or shut off a device by applying a pull-up or ground voltage, respectively, to the device in question.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Stronczer whose telephone number is (571) 270-3756. The examiner can normally be reached on 7:30 AM - 5:00 PM (EDT), Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571) 272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2425

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Stronczer/
Examiner, Art Unit 2425

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2425